

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Civil No. 05-6033  
Criminal No. 02-60021

HENRY TONJE SMITH

DEFENDANT

O R D E R

Now on this 30th day of November, 2005, comes on for consideration the **Magistrate Judge's Report And Recommendation** (document #56), to which no objections have been made, and the Court, having carefully reviewed said Report And Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

**IT IS THEREFORE ORDERED** that the **Magistrate Judge's Report And Recommendation** is adopted *in toto*.

**IT IS FURTHER ORDERED** that, for the reasons stated in the **Magistrate Judge's Report And Recommendation**, defendant's petition is hereby **dismissed**.

**IT IS SO ORDERED.**

/s/Jimm Larry Hendren  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE